

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas ROITSCH

Application No.:

Filed: December 12, 2001

For: PROMOTER SYSTEM AND PRODUCTION AND USE OF THE SAME

Atty Docket: 3524.012

PRELIMINARY AMENDMENT

ATTN: PCT

Honorable Commissioner of
Patents and Trademarks
P.O. Box 2327
Arlington, VA 22202

Sir:

Prior to examination of the above-identified application,
please amend the application as follows:

IN THE CLAIMS (CLEAN VERSION):

Please delete original Claims 1-45; please delete Substitute
Claims 1-44 and add the following new Claims 45-88:

45. Nucleic acid sequence, coding for a both tapetum-specific
and pollen-specific promoter, the nucleic acid sequence
comprising a range of at least 900 nucleotides upstream of the
TATA box of the sequence represented in SEQ.ID. No. 1.

46. Nucleic acid sequence according to claim 45, wherein the
nucleic acid sequence comprises a range of at least 1000
nucleotides upstream of the TATA box of the sequence represented
in SEQ.ID. No. 1.